

Notice of Allowability

Application No.

09/879,186

Applicant(s)

ZIMMER ET AL.

Examiner

Ted T. Vo

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE 05/31/05 (duplicated on 6/30/05).
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 10/23/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TED T. VO
Primary Examiner

1. This is response to the Amendment filed under RCE on 05/31/05.

It appears that the resubmitted amendment on 6/30/05 is duplicated from the amendment filed on 05/31/05. Therefore, the amendment filed on 5/31/05 (or 6/30/05) has been considered in this action.

Applications' arguments have been considered and persuasive. Prior art of record, Biancheri, "EIHA?!?: Deploying Web and WAP Services Using XML Technology", ACM, March 2001, remains the closest art of record.

2. It should be noted that the Drawings submitted on 10/23/01 are accepted by Examiner for Examination purpose only.

Reasons for Allowance

3. Claims 1-7 are allowed.

Prior art of record, Biancheri, discloses an EIHA architecture that includes generating an abstract notation file, such as DTD file containing meta-data. A user can edit to the identified components and input parameters in the DTD. The generated file by EIHA architecture is targeted to WML platform or HTML platform. The EIHA architecture lacks in disclosing transforming *the description file based on said selected set of input parameters from abstract notation to platform notations, each one of said selected components being represented in one of said platform notations for executing said component on a platform of said selected platforms.*

As pointing out by Applicants that the Claims are directed to the generation of an entire multi-tier application from a single abstract notation file, and that the prior art of record (Biancheri) disclose the generation of only a user/client tier from an abstract notation file and does not disclose generating an entire multi-tier application, nor that the application has a predetermined combination of components selected from each tier (Remarks: P. 6, third and fourth paragraphs).

Therefore, the following is an examiner's statement of reasons for allowance:

The cited prior arts taken alone or in combination fail to teach claimed invention as systems, methods, a program product, comprising at least features:

"for transforming the description file based on said selected set of input parameters from abstract notation to platform notations, each one of said selected components being represented in one of said platform notations for executing said component on a platform of said selected platforms; wherein the deployment of the multi-tier application facilitates communication of data between components deployed on neighboring tiers", as recited in independent Claim 1 and in such manners in independent Claims 4-6.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3694.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number, **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ted T. Vo
Primary Examiner
Art Unit 2192
July 22, 2005